

3695.  
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3  
4 BILL NO. Z-78-02-28

5 ZONING MAP ORDINANCE NO. Z-Losh.

6 AN ORDINANCE amending the City of Fort  
7 Wayne Zoning Map No. R 11.

8  
9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
10 FORT WAYNE, INDIANA:

11 SECTION 1. That the area described as follows is here-  
12 by designated a R 2 District under the terms of Chapter 36,  
13 Municipal Code of the City of Fort Wayne, Indiana, 1946, as  
14 amended by General Ordinance No. 2836 and amendments thereof;  
15 and the symbols of the City of Fort Wayne Zoning Map No. R 11,  
16 referred to therein, established by Section 9, Article III of  
17 said Chapter as amended, are hereby changed accordingly, to-wit:

18 Lot # 13, 27, 32, 33, 41, 46, 87, 103, 104,  
19 110, 124, 125, 160, 189, & 190 in Rolling  
20 Green Addition.

21 SECTION 2. This Ordinance shall be in full force and  
22 effect from and after its passage, approval by the Mayor and  
23 legal publication thereof.  
24

25 Vivian G. Schmidt  
26 Councilman  
27  
28  
29  
30  
31  
32

33 APPROVED AS TO FORM  
34 AND LEGALITY.  
35 [Signature]  
CITY CLERK

Read the first time in full and on motion by J. Schmidt, seconded by

Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 2-14-78

Charles W. Wintermann  
CITY CLERK

Read the third time in full and on motion by V. Schmidt,

seconded by Hinga, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

|                    | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>2</u>    | <u>6</u>    |                  | <u>1</u>      |                |
| <u>BURNS</u>       |             | <u>✓</u>    |                  |               |                |
| <u>HINGA</u>       |             | <u>✓</u>    |                  |               |                |
| <u>HUNTER</u>      | <u>✓</u>    |             |                  |               |                |
| <u>MOSES</u>       |             | <u>✓</u>    |                  |               |                |
| <u>NUCKOLS</u>     |             |             |                  | <u>✓</u>      |                |
| <u>SCHMIDT, D.</u> | <u>✓</u>    |             |                  |               |                |
| <u>SCHMIDT, V.</u> |             | <u>✓</u>    |                  |               |                |
| <u>STIER</u>       |             | <u>✓</u>    |                  |               |                |
| <u>TALARICO</u>    |             | <u>✓</u>    |                  |               |                |

DATE: 6-13-78

Charles W. Wintermann  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, ATTEST: (SEAL)

Charles W. Wintermann  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 14, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-02-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 20, 1978 and April 17, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1978.

Certified and signed this  
24th day of May, 1978.



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Luben Lazoff  
Secretary

Bill No. Z-78-02-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

Amending the City of Fort Wayne Zoning Map No. R11

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do Not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

*Vivian G. Schmidt*  
*John Nuckols*  
*William T. Hinga*

*James Stier*

6-13-78

CONCURRED IN

DATE

CHARLES W. WESTERMAN, CITY CLERK

# RECEIPT

Date

24 Jan

19

78

No.

10098

Received From

Robert J. Jones & Son, Inc.

Address

P.O. Box 477

For

fees - R/ & R2

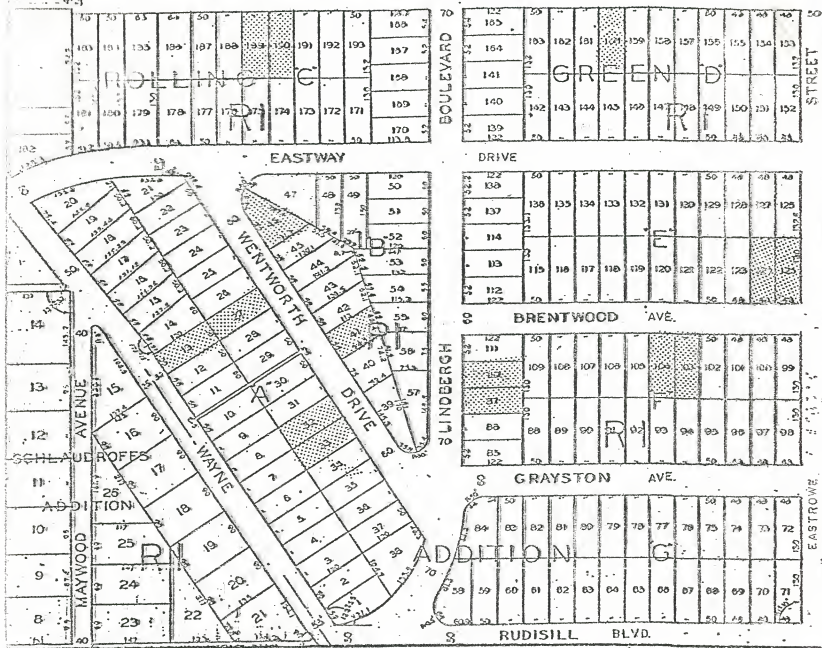
Dollars \$

50.00

| ACCOUNT         |  |  | HOW PAID    |                                     |  |
|-----------------|--|--|-------------|-------------------------------------|--|
| AMT. OF ACCOUNT |  |  | CASH        |                                     |  |
| AMT. PAID       |  |  | CHECK       | <input checked="" type="checkbox"/> |  |
| BALANCE DUE     |  |  | MONEY ORDER |                                     |  |

By

for B



REZONE FROM RI TO R2

MAP NO. RII

Z-78-02-08



Date Filed \_\_\_\_\_

Intended Use \_\_\_\_\_

I/We Contracting Projects In Land, Inc. & Earth Construction & Engineering  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 District to a/an R-2 (two family) District the property described as follows:

Lot # 13, 27, 32, 33, 41, 46, 87, 103, 104, 110, 124, 125, 160, 189, & 190 In Rolling Green Addition

NOTE: These are individual lots located in the Rolling Green Addition- generally bounded by Oxford Street on the north, Eastrove Street on the east, Grayston Avenue on the south, and Wayne Trace on the west.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition

|   |                        |              |                             |
|---|------------------------|--------------|-----------------------------|
| <u>Contracting Projects In Land</u>     | <u>3333 Engle Road</u> | <u>46809</u> | <u>Richard Paul Rogers</u>  |
| <u>Earth Constr &amp; Engr Co. Inc.</u> | <u>3333 Engle Road</u> | <u>46809</u> | <u>Cook O. P. Loughheed</u> |

|   |                      |             |
|---|----------------------|-------------|
| (Name)  | (Address & Zip Code) | (Signature) |
| (If additional space is needed, use reverse side) |                      |             |

Legal Description checked by \_\_\_\_\_

**NOTE FOLLOWING RULES**

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

|                            |                        |              |                    |
|----------------------------|------------------------|--------------|--------------------|
| <u>Richard Paul Rogers</u> | <u>3333 Engle Road</u> | <u>46809</u> | <u>747-0508</u>    |
| (Name)                     | (Address & Zip code)   |              | (Telephone Number) |

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Lot # 13, 27, 32, 33, 41, 46, 87, 103, 110, 124, 125, 160, 189, &

190 In Rolling Green Addition

NOTE: These are individual lots located in the Rolling Green Addition-  
generally bounded by Oxford Street on the north, Eastrowe Street  
on the east, Grayston Avenue on the south, and Wayne Trace on  
the west.

Owners of Property

Contracting Projects In Land, Inc. 3333 Engle Road 46809

Earth Constr & Engr Co. Inc.

3333 Engle Road 46809

  
Richard Paul Rogers

  
Cook O. P. Loughheed  
Pres.

(Name)

(Address & Zip Code)

(Signature)



## DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3.78-02-08

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots# 13, 27, 32, 33, 41, 46, 87, 103, 104, 110,  
124, 125, 160, 189 & 190 in Rolling Green Addition, generally bounded  
by Oxford Street on the north, Eastrowe Street on the east,  
Grayston Avenue on the south, and Wayne Trace on the west.

EFFECT OF PASSAGE Property is now zoned R1 - One Family Residential.  
Property will be changed to R2 - Two Family Residential.

EFFECT OF NON-PASSAGE Property will remain R1 - One Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

Res